

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s)

Patterson et al.

Examiner:

Louis K. Huynh

Serial No.:

10/675,284

Group Art Unit:

3721

Filed:

September 30, 2003

Docket:

717-961 CIP

Confirmation No.:

5475

Dated:

June 22, 2005

For:

APPLIANCE FOR VACUUM SEALING

FOOD CONTAINERS

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

I hereby certify this correspondence is being deposited with the United States Postal Service as first class mail, postpaid in an envelope, addressed to:

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On June 22, 2005

Signature:_

RESPONSE TO OFFICE ACTION

Sir:

Applicants provide the following response to the Office Action dated March 22, 2005.

The Office Action indicates that claims 1, 4, 5, 10, 15, 21, 25 and 26 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 49, 60, 61, 85, 82-84, and 120 of co-pending application no. 10/371,610. Although these claims are not identical, the Examiner contends that they are not patentably distinct.

In order to overcome this rejection, Applicants file herewith a terminal disclaimer.

Applicants respectfully submit that the application with Claims 1-26 is now in condition for allowance.

If the Examiner believes that a telephone interview would be helpful in moving the case toward allowance, he is respectfully invited to contact Applicants' attorney at the number set forth below.

Respectfully submitted,

Anthony E. Bennett

Registration No.: 40,910 Attorney for Applicant(s)

HOFFMANN & BARON, LLP 6900 Jericho Turnpike Syosset, New York 11791 (516) 822-3550 AEB:jlw

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